



## OPERATIONAL MEMO

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<b>TITLE:</b>	<b>CHANGE TO ESTATE RECOVERY NOTIFICATION FORM PROCEDURES</b>
<b>SUPERSEDES NUMBER:</b>	N/A
<b>EFFECTIVE DATE:</b>	<b>JULY 1, 2020</b>
<b>DIVISION AND OFFICE:</b>	<b>LEGAL DIVISION, POLICY, COMMUNICATIONS &amp; ADMINISTRATION</b>
<b>PROGRAM AREA:</b>	<b>THIRD PARTY LIABILITY &amp; RECOVERIES</b>
<b>KEY WORDS:</b>	<b>ESTATE, ESTATE RECOVERY, FORM, HMS, COUNTY, NOTICE, PROPERTY</b>
<b>OPERATIONAL MEMO NUMBER: HCPF OM 21-011</b>	
<b>ISSUE DATE: JANUARY 19, 2021</b>	
<b>APPROVED BY: SHAWN BODIKER</b>	

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### **Purpose and Audience:**

This Memo is intended to provide operational guidance for County Departments of Human/Social Services and Eligibility Sites regarding the Medicaid Estate Recovery Program and the noticing requirements to Health First Colorado (Colorado's Medicaid Program) members.

### **Background:**

The Colorado Department of Health Care Policy & Financing (Department) has a legal duty to establish and operate an estate recovery program under C.R.S. § 25.5-4-302. Property owned by an applicant for Medicaid benefits should be identified at the time of application. County Departments of Human/Social Services and Eligibility Sites are required to provide an estate recovery form to potential and existing Health First Colorado members. The form is intended to provide notice to the member of the estate recovery program, as well as identify whether an applicant/member owns real estate, solely or jointly. This form is informational and does not have an impact to the determination of eligibility.

10 CCR 2505-10, Section 8.100.5.D requires counties to send estate recovery forms to members age 55 and older that receive long term care services, and members of any age that are permanently institutionalized. To expand awareness of the estate recovery program, the Department has informally requested that counties send these forms to all members age 55 and older, all members of any age receiving long term care services, and members of any age and program that knowingly own property both at the time of initial application and at subsequent redeterminations.

**Information:**

Health Management Systems (HMS) administers the Colorado Estate Recovery Program on behalf of the Department. Rather than County Departments of Human/Social Services and Eligibility Sites providing the estate recovery notification form to potential and current Health First Colorado members, HMS will provide this service going forward. As of July 1, 2020, HMS will send estate recovery notification forms to all members age 55 and older, all members of any age receiving long term care services, and members of any age and program that knowingly own property. Accordingly, Counties and Eligibility Sites are no longer required to send estate recovery forms to Health First Colorado members. Counties and Eligibility Sites can certainly continue to provide the form and information regarding estate recovery at the request of the member. Questions regarding the Colorado Estate Recovery Program and the notification process should be directed to HMS at 303-837-8293.

**Attachment(s):**

None

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